THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.11992 of 2006

Dated:07.07.2006

Between:

C.Veerappa.

…Petitioners

and

Chief Commissioner, Land Administration, Hyderabad, and another.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.11992 of 2006

ORDER:

The petitioner is the owner of land comprised in Survey Nos.55, 56, 58, 60 and 76 situated at Kathepeta Village, Uppal Mandal of Ranga Reddy District, admeasuring about 42,188.37 square metres. A declaration was filed in 1976. After processing the declaration, the second respondent issued a draft statement under Section 8(1) of the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'the Act'), and issued a notice under Section 8(3) of the Act. As the petitioner did not file any objections, the draft statement was confirmed holding that the petitioner is a surplus landholder to the extent of 20,954.07 square metres. Assailing the same, the petitioner preferred an appeal, which was dismissed on 04.04.2006.

In this writ petition the petitioner assails the proceedings of the second respondent bearing No.J/11136/76, dated 30.04.1994. When once the petitioner filed an appeal against the said order under Section 33 of the Act and the appeal was also dismissed, the order of the second respondent is merged in the order of the first respondent. Therefore, this writ petition filed challenging the order of the second respondent is not maintainable. If so advised, the petitioner may challenge the appellate order dated 04.04.2006.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

(V.V.S.RAO, J)

07.07.2006
vs